

REQUEST FOR PROPOSAL (RFP) PROCEDURE

ADVERTISING

A Public Notice, requesting proposals is posted in a local newspaper and usually also on the SC Business Opportunities website. In addition, the Request for Proposals is posted on the Town's website

PRE-BID

Town staff determine whether a pre-bid meeting is mandatory or not, usually based on the degree of complexity of the project. That information is included in the Request for Proposals and Public Notice.

OPENING PROPOSALS

Proposals are different from IFBs in that the contents are *not* read out loud, they are merely recorded. This is because the award is based on what is "most advantageous" to the Town as a whole and not just lowest price. In addition, the Town may negotiate with offerors so the price and scope of work may change once the proposals are vetted and clarified with the offerors.

CONFLICT OF INTEREST

Once the proposals have been opened and recorded and it is clear which companies have responded to the RFP, members of the evaluation committee should divulge if they have a Conflict of Interest. Article 7 of the SC State Procurement Code (which the Town also follows), states: "No public official, public member, or public employee may make, participate in making, or in any way attempt to use his office, membership, or employment to influence a governmental decision in which he, a member of his immediate family, an individual with whom he is associated, or a business with which he is associated has an economic interest." If such a situation exists, that member of the evaluation committee must disclose the conflict and excuse themselves from scoring the proposals.

CONFIDENTIALITY

An offeror may designate (in writing) that certain documents submitted as part of their proposal may be considered "proprietary" and may not be publicly disclosed or subject to FOIA requests. In addition, staff evaluation comments and scoring of proposals are considered confidential information. The Town will publish and make available the name of the award recipient and the price agreed upon once the contract has been signed. In the meantime, any requests from other bidders/offerors or the public must be routed through the Town's FOIA request process.

EVALUATION SHEET

The evaluation sheet must contain the "evaluation criteria" listed in the RFP, including any percentages/weights assigned to each criterion. In addition, there is a list of the items called for in the "Submittal" section, to insure that the offeror has submitted the required insurance, licensing, bid bond (if applicable) and other documentation requested.

INDIVIDUAL SCORING

In order to begin their individual review of the proposals, each evaluation committee member is provided with a copy of the proposals and an evaluation sheet. Individuals performing the evaluation continue to refer back to the proposal being scored when using the evaluation sheet, in order to determine if specific criteria have been met and how well. Each evaluation committee member must perform this step alone and then meet back with the other members later on.

Step One: Determine status. Committee members determine whether each proposal is "responsive" or "non-responsive." A "responsive" proposal conforms in all *material* respects to the RFP. A proposal may be deemed "non-responsive" if any of the information that was requested in the RFP is not provided or if the submitted price exceeds the available project budget. Extreme care should be used when making this decision because of the time and cost that a potential offeror has put into submitting a proposal. If a proposal is determined to be "non-responsive," the reviewer should provide a written justification for this conclusion.

Step Two: Scoring proposals. A reviewer must score proposals based on the criteria established in the RFP. Proposals must be evaluated solely on the stated criteria listed in the RFP, unless a product demonstration is also required. Only material presented in the written proposals or required demonstration can be considered in the evaluation. If criteria are to be weighted, the percentages must be disclosed in the RFP and those criteria must be scored accordingly.

Prior experience with the product and/or offeror cannot be considered in scoring the proposals. Only the information provided for this RFP may be considered. Include notes or a written justification for each scoring category. A written scoring sheet must be utilized by the evaluation committee to standardize the process of awarding and totaling points.

EVALUATION COMMITTEE MEETINGS

Once the proposals have been evaluated and scored by individual committee members, the entire committee must meet to discuss the proposals and arrive at the final scoring. A public notice of these meetings must be posted 72 hours in advance, although the public is not invited.

Step Four: Discuss proposals. The full evaluation committee should discuss all aspects of the proposals so that there is a "unified understanding" of the criteria and corresponding responses. Individual scores may be adjusted at this point based upon discussion. The committee may tally the final point assignments by the following methods: (1) consensus score, (2) a total of all of the points given by individual committee members, or (3) an average of the individual scores. Any method or combination thereof is acceptable.

Step Five: Interviews. This step is *optional*. If interviews are deemed necessary, the evaluation committee will issue a letter asking the shortlisted offeror(s) to attend an interview or give a presentation. This is an opportunity for both sides to explain their viewpoints. If an oral interview is pursued as an option, it must be also be scored according to stated criteria, so it is a good idea to have a list of questions prepared.

Step Six: Discussion/Negotiation. This step is also optional. If the committee is unsure of certain items or the exact Scope of Work included in a proposal, it may request further clarification from the offeror. The evaluation committee will distribute clarification questions. Responses will then be submitted to the evaluation committee for review.

Step Seven: Best and Final Offer. This is also optional. A letter asking the offeror to submit a "Best and Final Offer" may be issued at the request of the evaluation committee. Once a "Best and Final Offer" is received, the committee will evaluate it in the same manner as the original proposal. Unless the RFP so states, a "Best and Final Offer" may not be requested from the offeror on price alone.

Step Eight: Recommendation. A memo is drafted with the evaluation committee's recommendation as to whom the contract should be awarded. This written recommendation should contain scores, written justification and rationale for the decision, along with any other variables that may have been considered. If scoring methods (2) or (3) are used, as noted in above in Step 4, individual scoring sheets must be also be provided as back-up documentation of the evaluation process. If consensus scoring is used, the consensus score sheets and any other material relating to the evaluation process must be submitted. It is a good idea to have all committee members sign these sheets, showing they concur with the award.

Step Nine: Administrative Review and Approval. The Town Manager and/or designated Department Head will review the committee scoring and justification. If the contract is in excess of \$100,000, Town Council will also need to review and approve the award.

CONTRACT AWARD

If all are in agreement with the committee's decision, staff will notify the selected offeror, draft a contract and obtain the required Town business license (not required unless awarded contract). Two original copies of the fully executed contract will be drafted and signed. One signed copy will be returned to the Town and one copy will be retained by the consultant or vendor. The Town's signed copy of the contract will be

retained by the Town Clerk. The award information (name and amount only) will be posted on the Town's website.